

1 Honorable Robert S. Lasnik
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

9 KING COUNTY and CITY OF TACOMA,
10 individually and on behalf of others similarly
situated,

11 Plaintiffs,

12 v.

13 TEVA PHARMACEUTICAL INDUSTRIES,
14 LTD., TEVA PHARMACEUTICALS USA,
15 INC., and TEVA NEUROSCIENCE, INC.,

16 Defendants.

No. 2:21-cv-00477-RSL

**STIPULATED MOTION AND
ORDER EXTENDING DEADLINE
TO AMEND COMPLAINT**

17 **I. BACKGROUND**

18 By a prior stipulation (Dkt. No. 37), the parties agreed to a briefing schedule for the
19 motion to dismiss (the “First Motion to Dismiss”) (Dkt. No. 27) filed on July 2, 2021 by
20 Defendants Teva Pharmaceuticals USA, Inc. and Teva Neuroscience, Inc, and the motion to
21 dismiss (the “Second Motion to Dismiss”) to be later filed by Defendant Teva Pharmaceutical
22 Industries, Ltd. (“TPI”). The Court entered the parties’ stipulation by Order (Dkt. No. 38) dated
23 July 22, 2021.

24 TPI timely filed the Second Motion to Dismiss (Dkt. No. 39) on August 30, 2021.
25 Plaintiffs now seek to amend their Complaint pursuant to Fed. R. Civ. P. 15(a)(1)(B) and
26 15(a)(2). Counsel for the Teva Parties and counsel for Plaintiffs have conferred and agree,

STIPULATED MOTION AND ORDER EXTENDING DEADLINE
TO AMEND COMPLAINT - 1
(2:21-cv-00477-RSL)

KELLER ROHRBACK L.L.P.

1201 Third Avenue, Suite 3200
Seattle, WA 98101-3052
TELEPHONE: (206) 623-1900
FACSIMILE: (206) 623-3384

1 subject to the Court's approval, that Plaintiffs may amend their Complaint on or before
 2 September 28, 2021.

3 The parties agree that because "an amended complaint supersedes the original, the latter
 4 being treated thereafter as non-existent," *Ramirez v. County of San Bernardino*, 806 F.3d 1002,
 5 1008 (9th Cir. 2015) (internal quotations omitted), upon Plaintiffs' filing of their amended
 6 complaint, the First and Second Motions to Dismiss should be denied as moot.

7 The parties further agree to meet and confer after Plaintiffs file their amended complaint
 8 regarding a briefing schedule and page limitations for the Teva Parties' anticipated single motion
 9 to dismiss the amended complaint.

10 II. STIPULATION

11 The deadline for Plaintiffs to file an Amended Complaint is extended to September 28,
 12 2021. Upon the filing of Plaintiffs' Amended Complaint, the Teva Parties' First (Dkt. No. 27)
 13 and Second (Dkt. No. 39) Motions to Dismiss shall be denied as moot.

14 DATED this 17th day of September, 2021.

15 KELLER ROHRBACK L.L.P.

16 s/ Alison E. Chase

Lynn Lincoln Sarko, WSBA #16569
 Gretchen Freeman Cappio, WSBA #29576
 Matthew M. Gerend, WSBA #43276
 Felicia J. Craick, WSBA # 54505
 1201 Third Avenue, Suite 3200
 Seattle, WA 98101
 Tel: (206) 623-1900
 Fax: (206) 623-3384
 lsarko@kellerrohrback.com
 gcappio@kellerrohrback.com
 mgerend@kellerrohrback.com
 fcraick@kellerrohrback.com

23 Alison E. Chase, (*pro hac vice*)
 24 KELLER ROHRBACK L.L.P.
 25 801 Garden Street, Suite 301
 Santa Barbara, CA 93101
 Tel: (805) 456-1496
 achase@kellerrohrback.com

26 *Attorneys for Plaintiffs*

KIRKLAND & ELLIS LLP

/s/ Matt Owen

Devora W. Allon (*pro hac vice*)
 Jay Lefkowitz (*pro hac vice*)
 601 Lexington Avenue
 New York, NY 10022
 Tel: (212) 446-5967
 Fax: (212) 446-4900
 devora.allon@kirkland.com
 lefkowitz@kirkland.com

Matt Owen (*pro hac vice*)
 1301 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
 Tel: (202) 389-5100
 Fax: (202) 389-5000
 john.bailey@kirkland.com
 matt.owen@kirkland.com

Jeremy E. Roller, WSBA No. 32021
 ARETE LAW GROUP PLLC
 1218 Third Avenue, Suite 2100
 Seattle, WA 98101

1 Tel: (206) 428-3250
2 Fax: (206) 428-3251
jroller@aretelaw.com

3 *Attorneys for Defendants*

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5 IT IS SO ORDERED.
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7 DATED: September 20, 2021
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9 Hon. Robert S. Lasnik
10 United States District Judge
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